

00-0-0834

(Do Not Write Above This Line)

AN ORDINANCE

BY Lee Morris

AN ORDINANCE TO AMEND PART II OF THE CODE OF ORDINANCES, CHAPTER 162; ARTICLE IV, SECTIONS 223 AND 227, 162-223 and 162-227, SO AS TO INCREASE CERTAIN FEES AND FOR OTHER PURPOSES.

ADOPTED BY

AUG 07 2000

COUNCIL

absence of a Motion to Override the Mayor's Veto
 9/5/00 - In the absence of a Motion to Override the Mayor's Veto 00-00834 was Filed without Objection

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

6/5/00

Referred To: Public Safety Legal Ad

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED

AUG 7 2000

CERTIFIED

AUG 07 2000

Randy D. Smith
MUNICIPAL CLERK

MAYOR'S ACTION

VETO

AUG 13 2000

MAYOR

VETOED LEGISLATION

I.D.# 00-0-0834

ADOPTED BY COUNCIL August 7, 2000

VETOED BY MAYOR August 13, 2000

VETO OVERRIDDEN BY COUNCIL _____

VETO SUSTAINED/FILED BY COUNCIL In the absence of a Motion
to Override the Mayor's Veto
of 00-0-0834 the Ordinance

DATE: September 5, 2000 was FILED
without
objection
of Council



Aug 5

00-15-00307:32 RCVD

CITY OF ATLANTA

BILL CAMPBELL
MAYOR

August 13, 2000

55 TRINITY AVENUE, S.W.
ATLANTA, GEORGIA 30335-0300

(404) 330-6100

Council President Robb Pitts
Members of the Atlanta City Council
City Hall 2nd Floor, Suite 2900
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

Dear President Pitts and Members of Council:

I hereby return with my veto, Ordinance # 00-O-0834

On August 7, 2000, the Atlanta City Council adopted Ordinance # 00-O-0834 that proposes to increase the towing and storage fees for impounded vehicles.

The Atlanta City Council on April 3, 2000 adopted Ordinance #00-O-0495 that amended Section 2-105 of the Code of Ordinance which states that:

“The City Council shall not adopt any ordinance or resolution, the purpose of which to establish a new fee for service or to change the amount of any existing fee for service unless and until sufficient notice has been provided to the public and the public has been afforded an opportunity to review and comment upon the establishment of such fee change.”

Therefore, the process as adopted in Ordinance # 00-O-0495 should be applicable to Ordinance # 00-O-0834 that proposes to increase towing and storage fees. Until such time that a public hearing is conducted and citizens have had the opportunity to voice their opinion in relation thereto, the current rate structure should remain in tact.

Additionally, the fee increases (particularly for storage of impounded vehicles) as proposed are too extreme and difficult for the general public to pay.

For the aforementioned reasons, I urge you to sustain my veto of Ordinance # 00-O-0834.

Sincerely,

Bill Campbell

00-0-0834

(Do Not Write Above This Line)

AN ORDINANCE

BY *Lee Morris*

AN ORDINANCE TO AMEND PART II OF THE CODE OF ORDINANCES, CHAPTER 162; ARTICLE IV, SECTIONS 223 AND 227, 162-223 and 162-227, SO AS TO INCREASE CERTAIN FEES AND FOR OTHER PURPOSES.

ADOPTED BY

AUG 07 2000

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

6/5/00

Referred To:

Public Safety Legal Ad

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____
Date _____
Chair *C. T. Marks*
Referred to _____

P.S. L.H. Committee

Date *6/13/00*

Chair *C. T. Marks*

Action: Fav, Adv, Hold (see rev. side)

Other: *held 6/29/00*

Members *7/11/00*

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Members

Refer To

P.S. L.H. Committee

Date *8/1/00*

Chair *C. T. Marks*

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members *[Signature]*

[Signature]

Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED
AUG 7 2000

ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
AUG 07 2000

Frank D. [Signature]
MUNICIPAL CLERK

[Signature]
VETO

AUG 13 2000

MAYOR



AN ORDINANCE

BY *Lee Morris*

**AN ORDINANCE TO AMEND PART II
OF THE CODE OF ORDINANCES, CHAPTER
162, ARTICLE IV, SECTIONS 223 AND 227,
162-223 and 162-227, SO AS TO INCREASE
CERTAIN FEES AND FOR OTHER
PURPOSES.**

WHEREAS, wrecker and towing services provide a necessary service to the City of Atlanta; and

WHEREAS, the provision of safe wrecker and towing services, as well as the provision of secure and safe storage for impounded vehicles, furthers the health, safety and welfare of the general public; and

WHEREAS, the cost of providing safe wrecker and towing services and providing a secure and safe storage area for impounded vehicles has increased since the date that the maximum \$5.00 per day storage fee was enacted by the Atlanta City Council and Mayor and imposed upon impound lots; and

WHEREAS, Section 162-277 of the Atlanta Code of Ordinances anticipates that costs for removal of vehicles and the cost to store vehicles might vary over time and specifically provides that certain towing and storage fees for vehicles should be established annually:

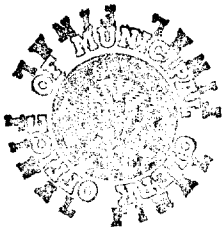
NOW, THEREFORE, BE IT ORDAINED by the Atlanta City Council as follows:

Section 1. That Section 162-223(d)(4)(a) which reads as follows:

- a. Such vehicles may be removed at a maximum cost of \$75.00 and stored at a maximum cost of \$5.00 per day to be paid by the owner;

be deleted in its entirety and replaced with the following language:

- a. Such vehicles may be removed at a maximum cost of \$90.00 and stored at a maximum cost of \$10.00 after the first six hours; \$15.00 per day after the first twenty-four (24) hours; and \$25.00 per day after the first three days, all of which to be paid by the owner.



Section 2. That Section 162-227(a) which reads as follows:

- a. Any towing and storage firm engaged in the business of trespass towing shall not charge the owner of any towed vehicle or personal property in excess of \$75.00 for the removal of the vehicle or personal property or in excess of \$5.00 per day for storage fee; however no storage fees shall be charged for the first 24-hour period from the time the vehicle or personal property is removed from the property. The fee of \$75.00 shall be all inclusive; no additional fees may be charged for using dollies, trailers, lifts, slim jims or any other equipment or service. However, the maximum fees in this section shall not apply to the trespass towing of vehicles which weigh in excess of two tons.

be deleted in its entirety and replaced with the following language:

- a. Any towing and storage firm engaged in the business of trespass towing shall not charge the owner of any towed vehicle or personal property in excess of \$90.00 for the removal of the vehicle or personal property or in excess of \$10.00 after the first six (6) hours; \$15.00 per day after the first twenty-four (24) hours; and \$25.00 per day after the first three days from the time the vehicle or personal property is removed from the property. The fee of \$90.00 shall be all inclusive; no additional fees may be charged for using dollies, trailers, lifts, slim jims or any other equipment or service. However, the maximum fees in this section shall not apply to the trespass towing of vehicles which weigh in excess of two tons.

Section 3. That all ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

Section 4. In the event that any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared invalid or unconstitutional were not originally a part thereof.

RCS# 2153
8/07/00
4:06 PM

Atlanta City Council

Regular Session

CONSENT 1

Pages 1-15 KP

Adopt

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty
Y Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
B Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-1102
00-R-1197
00-R-1106
00-R-1123
00-R-0721

08/07/00 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1009 2. 00-O-1010 3. 00-O-1011 4. 00-O-1012 5. 00-O-1079 6. 00-O-0834 7. 00-O-1065 8. 00-O-1004 9. 00-O-1112 10. 00-R-1139 11. 00-R-1140 12. 00-R-1141 13. 00-R-1142 14. 00-R-1144 15. 00-R-1204 16. 00-R-1208 17. 00-R-1209 18. 00-R-1210 19. 00-R-1106 20. 00-R-1146 21. 00-R-1147 22. 00-R-1194 23. 00-R-1203 24. 00-R-1205 25. 00-R-1212 26. 00-R-1213 27. 99-R-1145 28. 99-R-1932 29. 00-R-1108 30. 00-R-1110 31. 00-R-1129 32. 00-R-1130 33. 00-R-1131 34. 00-R-1134 35. 00-R-1206 36. 00-R-1121 37. 00-R-0329 38. 00-R-1136 39. 00-R-1137 40. 00-R-1138	41. 00-R-1175 42. 00-R-1176 43. 00-R-1177 44. 00-R-1178 45. 00-R-1179 46. 00-R-1180 47. 00-R-1181 48. 00-R-1182 49. 00-R-1183 50. 00-R-1184 51. 00-R-1185 52. 00-R-1186 53. 00-R-1187 54. 00-R-1188 55. 00-R-1189 56. 00-R-1190 57. 00-R-1191 58. 00-R-1192 59. 00-R-1193 60. 00-R-1199 61. 00-R-1200 62. 00-R-1201 63. 00-R-1202	64. 00-R-1148 65. 00-R-1149 66. 00-R-1150 67. 00-R-1151 68. 00-R-1152 69. 00-R-1153 70. 00-R-1154 71. 00-R-1155 72. 00-R-1156 73. 00-R-1157 74. 00-R-1158 75. 00-R-1159 76. 00-R-1160 77. 00-R-1161 78. 00-R-1162 79. 00-R-1163 80. 00-R-1164 81. 00-R-1165 82. 00-R-1166 83. 00-R-1167 84. 00-R-1168 85. 00-R-1169 86. 00-R-1170 87. 00-R-1171 88. 00-R-1172 89. 00-R-1173 90. 00-R-1174

00-0-0495

(Do Not Write Above This Line)

AN ORDINANCE

BY: COUNCILMEMBER FELICIA MOORE

Felicia Moore

AN ORDINANCE TO CREATE A NEW CITY CODE SECTION 2-105 WHICH SHALL PROVIDE THAT THE CITY COUNCIL SHALL NOT ADOPT ANY ORDINANCE OR RESOLUTION, THE PURPOSE OF WHICH IS TO ESTABLISH A NEW FEE FOR SERVICE OR TO CHANGE THE AMOUNT OF ANY EXISTING FEE FOR SERVICE UNLESS AND UNTIL SUFFICIENT NOTICE HAS BEEN PROVIDED TO THE PUBLIC AND THE PUBLIC HAS BEEN AFFORDED AN OPPORTUNITY TO REVIEW AND COMMENT UPON THE ESTABLISHMENT OF SUCH FEE OR FEE CHANGE; TO PROVIDE THAT ANY LEGISLATION ESTABLISHING OR CHANGING A FEE IN VIOLATION OF THIS ORDINANCE SHALL BE VOID; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

As Amended

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

ADOPTED BY
APR 03 2000

COUNCIL

Date Referred 03/29/2000

Referred To: FIN/EXEC

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee
James Greenlee
Date 3-29-00
Chair

Chair

Action:
Fav, Adv, Hold (see rev. side)
Other:

As Amended

Members

Marie Mueller

Chair

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
APR 3 2000

ATLANTA CITY COUNCIL PRESIDENT

James Greenlee

CERTIFIED
APR 03 2000

Marie Mueller
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

APR 12 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW

CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

BY COUNCILMEMBER *Felicia A. Moore*
FELICIA MOORE

00-0-0495

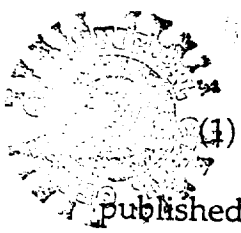
AN ORDINANCE TO CREATE A NEW CITY CODE SECTION 2-105 WHICH SHALL PROVIDE THAT THE CITY COUNCIL SHALL NOT ADOPT ANY ORDINANCE OR RESOLUTION, THE PURPOSE OF WHICH IS TO ESTABLISH A NEW FEE FOR SERVICE OR TO CHANGE THE AMOUNT OF ANY EXISTING FEE FOR SERVICE UNLESS AND UNTIL SUFFICIENT NOTICE HAS BEEN PROVIDED TO THE PUBLIC AND THE PUBLIC HAS BEEN AFFORDED AN OPPORTUNITY TO REVIEW AND COMMENT UPON THE ESTABLISHMENT OF SUCH FEE OR FEE CHANGE; TO PROVIDE THAT ANY LEGISLATION ESTABLISHING OR CHANGING A FEE IN VIOLATION OF THIS ORDINANCE SHALL BE VOID; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY
ORDAINS AS FOLLOWS:

SECTION 1: A new City Code Section 2-105 is hereby created which shall provide
as follows:

"Section 2-105. Establishment or change in fees for service; notice to public

(a) The City Council shall not adopt any ordinance or resolution, the purpose of which is to establish a new fee for service or to change the amount of any existing fee for service unless and until all of the following procedures have been performed:



(1) A notice of pending legislation establishing any such fee or fee change has been published at least once in a newspaper of general circulation not less than thirty (30) days prior to final council action pertaining to any such fee or fee change.

(2) The public shall have a period of not less than thirty (30) days after the introduction of any legislation proposing any such new fee or fee change, to submit written comments to the council c/o the Municipal Clerk.

(3) The appropriate standing committee of the council shall hold at least one public hearing regarding legislation proposing any such new fee or fee change.

(4) Written notice of legislation proposing any such new fee or fee change shall be provided, for information only, to the Atlanta Planning Advisory Board and each Neighborhood Planning Unit within thirty (30) days after the introduction of any such legislation.

(b) Any legislation establishing or changing a fee in violation of subsection (a) above, shall be void."

(c) This ordinance shall not be applicable to any service fees related to the operation of the airport.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughen Johnson
Municipal Clerk, CMC

ADOPTED as amended by Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

April 3, 2000

April 12, 2000

Sec. 2-105. Establishment or change in fees for service; notice to public.

- (a) The city council shall not adopt any ordinance or resolution, the purpose of which is to establish a new fee for service or to change the amount of any existing fee for service unless and until all of the following procedures have been performed:
 - (1) A notice of pending legislation establishing any such fee or fee change has been published at least once in a newspaper of general circulation not less than 30 days prior to final council action pertaining to any such fee or fee change.
 - (2) The public shall have a period of not less than 30 days after the introduction of any legislation proposing any such new fee or fee change, to submit written comments to the council c/o the municipal clerk.
 - (3) The appropriate standing committee of the council shall hold at least one public hearing regarding legislation proposing any such new fee or fee change.
 - (4) Written notice of legislation proposing any such new fee or fee change shall be provided, for information only, to the Atlanta Planning Advisory Board and each neighborhood planning unit within 30 days after the introduction of any such legislation.
 - (b) Any legislation establishing or changing a fee in violation of subsection (a) above, shall be void.
 - (c) This section shall not be applicable to any service fees related to the operation of the airport.
- (Ord. No. 2000-22, § 1, 4-12-00)